GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services – A.P. Works Accounts Service - Disciplinary Proceedings initiated against Sri N. Gangadharam, DAO(W), Gr.II and Sri RVS Dakshina Murthy, the then Senior Assistant (now DAO (W) Gr.II) - Charge not proved in the Inquiry - Further action dropped – Orders – Issued.

FINANCE (Admn.II-DWA-PAO) DEPARTMENT

G.O. Rt. No.1622 Dated: 09-08-2018

Read the following:-

1. Memo No. 807/39/WA/Admn.II/2014, dated. 14.08.2015.
2. Memo No. DWA/Hyd/Sn.I/EC.I/2015-16/334, dated.15.11.2015.
3. Memo No. DWA/Hyd/Sn.I/EC.I/2015-16/335, dated.15.11.2015.
4. Memo No. 807/39/WA/Admn.II/2014, dated. 04.07.2016.
5. DWA proceedgs. DWA/Hyd/Sn.I/EC.I/2016-17/172, dated. 26.07.2016.
6. Lr. No. W&P/KDP/Admn/U3/2016-17/126, dated. 13.03.2017.

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O R D E R:

In the reference first read above, the Government instructed the Director of Works Accounts to take action as per Rule 20 of APCS (CCA) Rules, 1991 in the respect of the Officers responsible for Non- renewal of two Bank Guarantees and furnish the detailed report to the Government.

2. In the references 2nd and 3rd read above, the Director of Works Accounts has framed Articles of Charges against Sri N. Gangadharam, DAO(W) GR.II and Sri RVS Dakshina Murthy, the then Senior Assistant (now DAO(W), Gr.II). The following articles of charge were framed against Sri N. Gangadharam, DAO (W) GR.II.

Charge

That Sri N. Gangadharam, while working as DAO (W), RWS&S Division, Nellore relating to certain allegations made against him on the works taken up under CPWS Scheme of Allur and other habitations (Phase.II) Nellore District. The DAO (W) failed to revalidate the Bank Guarantees and violated para 459 of AP PW 'A' Code. This amounts to dereliction of duties and disobedience to the Government instructions.

Thus he has violated Paras 89 and 90 of APPWA Code Rule 3 (1) of A.P.C.S. Conduct Rules 1964.

3. The following article of charge against Sri RVS Dakshina Murthy, DAO (W) Grade.II

Charge

That Sri RVS Dakshina Murthy, while working as Senior Assistant (Additional Charge) RWS&S Division, Nellore relating to certain allegations made against him on the works taken up under CPWS Scheme of Allur and other habitations (Phase.II) Nellore District. The Senior Assistant, now DAO (W) Grade.II failed to revalidate the Bank Guarantees and violated para 459 of AP PW

'A' Code. This amounts to dereliction of duties and disobedience to the Government instructions.

Thus he has violated Rule 3 (1) of A.P.C.S. Conduct Rules 1964.

4. The Charged Officers in their written statement of defence have stated that the date of expiry of Bank Guarantee (BG) is 09.02.2010 by the date Sri N. Gangadharam, DAO (W), Gr.II was proceeded on leave from 24.04.2009 and joined in PH Division Tirupathi on 24.07.2009. Sri RVS Dakshina Murthy , the then Senior Assistant, holding the additional charge of Superintendent (now DAO (W) Gr.II) in his statement has stated that he was relieved from additional charge of the post of Superintendent on 31.01.2009. Both the Charged Officers have stated that during their incumbency, the B.G. was in force and they are not responsible for the lapse of B.G. and requested to drop further action against them

5. Government have examined the matter in detail and instructed the Director of Works Accounts to conduct a detailed inquiry with Senior Official of Works Accounts Department on the Articles of charge against the two Charged Officers.

6. In the reference G.O 5th read above, Government had appointed Sri J. Manohar as Inquiry Officer under Rule 20(2) of APCS (CCA) Rules 1991 to conduct departmental enquiry against Sri N. Gangadharam, DAO (W), Gr.II and Sri RVS Dakshina Murthy, the then Senior Assistant (now DAO (W) Gr.II) and Sri K.V. Krishna Rao, APAO-1, W&P, Nellore was appointed as Presenting Officer under Rule 20 (5) of APCS (CCA) Rules, 1991 to present the case before the Inquiry Officer.

7. The Inquiry Officer has completed the inquiry in single sitting held in the O/o JDWA, Kadapa and submitted his report. The Inquiry Officer in his report has stated that:
"the scope of the enquiry is limited and restricted to statement of imputations of misconduct which states that the Government Servant failed to revalidate the Bank Guarantee. Thus, the issues before the Enquiry Officer to resolve are;

i) **Whether the Bank Guarantees were ripe for revalidation during the incumbency of the charged officers**
ii) **Whether the charged officers failed to revalidate the Bank Guarantee under consideration.**

During the enquiry no evidence is adduced against that the Bank Guarantees have become ripe for revalidation during the incumbency of the charged officers. Neither any evidence is produced to hold the charged officers responsible for not revalidating the Bank Guarantees. Hence, the charge is not sustained."

8. Government, after careful consideration of the report of the inquiry officer and material evidence on record decided to accept the findings of the Inquiry Officer and

accordingly hereby exonerate Sri N. Gangadharam, DAO (W), Gr.II and Sri RVS Dakshina Murthy, the then Senior Assistant (now DAO (W) Gr.II) from the Charge and drop further action against them in the case.

9. The Director of Works Accounts, A.P, Ibrahimpatnam is directed to take action accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

MUDDADA RAVICHANDRA
SECRETARY TO GOVERNMENT (Expr.)

To

Sri N. Gangadharam, DAO (W), Gr.II & Sri RVS Dakshina Murthy, DAO (W) Gr.II) along with a copy of the Inquiry report through the Director of Works Accounts, Ibrahimpatnam.

The Director of Works Accounts, A.P., Ibrahimpatnam.

Copy to:

Sri J. Manohar, Joint Director of Works Accounts (Rtd.) & Inquiry Officer
The Secretary to A.P. Vigilance Commission, Secretariat, Velagapudi
SF/SCs.

// FORWARDED::BY ORDER//

SECTION OFFICER